1FM 3732

PTO/SB/21 (08-03)
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	7	Application Number	10/053,				
TRANSMITTAL		Filing Date	January	January 22, 2002			
FORM		First Named Inventor	Dana C	Dana C. Mears			
(to be used for all correspondence after initial filing)		Art Unit	3732	3732			
,		Examiner Name	Michael	B. Priddy			
Total Number of Pages in This Submission		Attorney Docket Number	ZM0414	IDIV1			
	ENCLOSURES (Check all that apply)						
Fee Transmittal Form		awing(s)		L to	Technolo	ance communication ogy Center (TC) nmunication to Board	
Amendment/Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Response to Missing Parts/			ress		opeal Con ppeal Noti oprietary atus Lette	osure(s) (please	
under 37 CFR 1.52 or 1.53							
SIGNA	SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT						
Firm or Individual name Jonathan D. Feuchtwang Zimmer Technology, Inc.	ı, Reg. No. 41		J				
Signature							
Date 25 Avs 2004							
CERTIFICATE OF TRANSMISSION/MAILING							
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.							
Typed or printed name DeniseMoani Ne	lson /	4			•		
Signature / Venue	Moni	Nelsen		· · · · · · · · · · · · · · · · · · ·	Date	25 aug 04)	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Mears et al

Serial No.:

10/053,931

Filed:

January 22, 200

For:

METHOD AND APPARATUS FOR

AUG 2 7 200

PERFORMING A MINIMALLY

INVASIVE TOTAL HIP ARTHROPLASTY

Art Unit:

3732

Examiner:

Michael B. Priddy

I hereby certify that this paper is being deposited with the United States Postal Service as FIRST-CLASS mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

August 25, 20, 2004

Date

Attorney for Applicants
Registration No. 41,017

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This IDS is submitted under 37 C.F.R. §1.97(c), after the C.F.R. §1.97(b) time period, but before the mail date of a Final Office Action or a Notice of Allowance (whichever occurs first), with either:

- (a) a statement under 37 C.F.R. §1.97(e); or
- (b) the \$180.00 fee under 37 C.F.R. §1.17(p).

Applicant(s) submit herewith Form PTO-1449 (Information Disclosure Citation) together with copies of patents, publications or other information of which applicant n(s) are aware, which applicant(s) believe may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 C.F.R. §1.56. Applicant(s) respectfully submit that the citation of any reference on Form PTO-1449 does not constitute an admission that the reference qualifies as prior art.

It is requested that the information disclosed on the enclosed Form PTO-1449 be made of record in this application.

- (X) Statement Under 37 C.F.R. §1.97(e):
 - (X) The enclosed references were cited in a Communication issued by the European Patent Office (copy enclosed). Applicant(s) hereby certify(ies) that each item of information cited on the enclosed Form PTO-1449 was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement.
 - (X) Applicant(s) hereby certify(ies) that no item of information cited on the enclosed Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing below after making reasonable inquiry, no item of information cited on the enclosed Form PTO-1449 was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- Enclosed is a check for \$180.00 to cover the fee as set forth in 37 C.F.R. § 1.17(p).

The Commissioner is hereby authorized to charge any additional fees which may be required to this application under 37 C.F.R. §§1.16-1.17, or to credit any overpayment, to Deposit Account No. 50-2779. A duplicate copy of this sheet is enclosed.

By:

Respectfully submitted,

150 North Wacker Drive – Suite 1200

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Customer No. 37235

ZIMMER TECHNOLOGY, INC.

Jonathan D. Feuchtwang, Reg. No. 41, 017

NIE 27 2004 EE

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Substitute for form 1449/PTO

Sheet 1

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known				
Application Number	10/053,931			
Filing Date	January 22, 2002			
First Named Inventor	Dana Mears			
Art Unit	3732			
Examiner Name	Michael B. Priddy	-		
Attorney Docket Number	ZM0414DIV/1			

Examiner	Cite	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where
Initials* No.1		Number-Kind Code ^{2 (# known)}		Applicant of Cited Document	Relevant Passages or Relevant Figures Appear
		^{US-} 5,364,403	11/15/94	Petersen	Whole Document
		^{US-} 5,320,625	06/14/94	Bertin	See Report
		^{US-} 5,474,560	12/12/95	Rohr, Jr.	Whole Document
		^{US-} 2003/220698 A1	11/27/03	Mears	See Report
		^{US-} 2003/229356 A1	12/11/03	Dye	Whole Document
		US-			
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Examiner Cite	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
	Country Code ^{3 -} Number ^{4 -} Kind Code ⁵ (if known)	MM-DD-YYYY	,,	Or Relevant Figures Appear	T ⁶
	EP 1,149,562A	10/31/01	Bristol-Myers	Par.3 Figs.9,10	
	WO 03/065906A	08/14/03	Chana	Figs. 1-4	
	FR 1,041,311 A	10/22/53	Chevalier	See Report	L
					┡
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Examiner	Date	
Signature	Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.